THOMPSON, W. PHILLIPS & PATENT INVESTORS' VADE MECUM.

THE

PATENT INVESTORS' VADE MECUM

AND

DIRECTORS' GUIDE.

BY

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THE PATENT INVESTORS' AND DIRECTORS' GUIDE.

IN the early history of nearly all successful inventions there are two parties—the inventor and the capitalist. Though Watt invented his steam engine it would never have been a success but for the capital and business ability of Boulton. A similar statement is true in the case of almost every other epoch-making and even of most ordinary successful patents.

Yet while scores of Guides to Patentees have been published, we have never seen one issued in the interest of the capitalist, hence this brochure—which we trust will be found a very useful *vade mecum* and reference book to the large class in question.

There are four kinds of protection for intellectual property:—

(1) Patents for Inventions.
(2) Registration of Designs.
(3) Registration of Trademarks.
(4) Copyright.

PATENTS FOR INVENTIONS.

These are granted to the true and first inventor or importer, or to him and his associates, for any new

manufacture in the realm. By new, means not published or in public use in the British Isles prior to the application for the patent.

The application for a patent in Belgium, Brazil, Denmark, France, Great Britain, Italy, Norway, Portugal, Spain, Sweden, Switzerland, the United States or the Colonies of Queensland, West Australia or New Zealand, gives, by international treaty, the right during the first six months, or, if "beyond the sea," seven months immediately following the first application in any of these countries to secure a patent in any of the others, protection to date from the day of such first application abroad. A British patent gives the sole right of making, selling, or using the invention in the British Isles during the continuance of a valid patent in Great Britain for the invention.

INVALID PATENTS.

Probably not one patent in five granted in this country would stand the test of a court of law. This is owing, first, to the fact that the patent officials are bound to grant a patent for any invention, provided the documents be in the proper form, and the grant be unopposed by third parties, even though they may know it to be old and though the claims may be utterly illegal. Secondly, Patent Agency not being even yet a closed profession, only enterable by examination as in the case of law and medicine, many very incompetent and some utterly

unscrupulous men are found among those who make the obtaining of patents their business ; and thirdly, inventors being, as a rule, a very impecunious class, generally wish their patents procured in the cheapest manner, preferring to run the risk of invalidity to incurring the comparatively small extra expense of searching for novelty and employing a really skilled practitioner.

Before taking up an invention a capitalist should, therefore, for his own protection, have the case investigated by an experienced Patent Agent.

WAYS IN WHICH A PATENT MAY BE INVALID.

1. The invention, or a material part of it specially claimed, may have been published, worked publicly, or exhibited in this country, before the date of the patent application.

2. A material part of the invention claimed may be covered by a prior patent or application of another party.

3. It may have a bad title, an ambiguous or insufficient specification, or a badly drawn claim.

4. The complete specification may be unduly extended beyond the scope of the provisional.

5. Its subject-matter may not be patentable.

6. A part claimed or prominently specified may be useless.

7. The best mode of working the invention known

to the inventor may not have been disclosed, or there may be evidence of deceit.

8. The Government taxes hereafter mentioned may not have been paid up.

9. None of the applicants may be the true and first inventor within the meaning of the Statute of Monopolies.

HOW TO GUARD AGAINST THESE DANGERS.

Novelty.—There are three ways of investigating into the novelty of an invention.

(*a.*) Making a search through the British Patents. The indices are now so complicated that the assistance of an experienced searcher, such as can be found in all large Patent Agencies, is necessary. Even then the result is not absolutely certain, owing to the state of the indices. Searches cost from a few hours to a few weeks' hard work, depending on the character of the invention and the class under which it is scheduled.

(*b.*) *Applying for a United States Patent.*—In this case the American patent office, which has the most elaborate and beautifully worked-out system for making searches, will do this for the inventor. Inventions are there divided into more than 2,000 classes and sub-classes. There is a very large corps of examiners, among which these classes are apportioned, each examiner being an expert in his own class. The patents of seven different countries, and

all the books the United States Government can procure on technical subjects, are open to these examiners, and the search for novelty is very thorough and is duly reported to the applicant.

(*c.*) The third method of testing the novelty of an invention, only safely available after provisionally protecting the same, is by publishing it and introducing it to the trade. Then if it be old, the inventor is almost certain to learn this fact very speedily.

Prior Patenting.—A search will generally uncover all danger on this head, except as regards inventions protected during the immediately preceding 12 months, only the titles of most of these being then published. The third, fourth, fifth and eighth ways above-mentioned, in which a patent may be invalid, will be considered by the Patent Agent during his examination, and the sixth, seventh and ninth by him and the patentee conjointly.

APPLICANTS FOR PATENTS.

The true and first inventor, or inventors, or importer, or importers, either alone or associated with any other person or company, can obtain a patent. A capitalist joining an inventor should, in nearly all cases, take care to have his name in the patent, as a poor patentee is often a very different man before and after his invention has been brought into success by the assistance of a capitalist, and as no assignment of a patent can be registered till the latter is sealed, the capitalist is, unless a co-patentee, often at the mercy

of the inventor during the provisional stage. A name can be always added to the application, on the petition of the original applicant, at comparatively small expense at this stage.

JOINT PATENTEES.

If a patent be granted to two or more persons conjointly they are tenants in common, and each can work the invention to his own profit, and independently of the other, *unless there be a written agreement to the contrary*. A capitalist, therefore, in joining a patentee in an application, should take care to have an agreement in writing, and in this agreement it should be stipulated that all improvements on the invention, or in the same line of business, made by either, shall be shared in the same proportion as the original invention, and if patented, shall be protected in their joint names.

Joint ownership in a patent does not constitute a partnership.

JOINT INVENTORS.

Only the true and first inventor or importer of the idea from abroad (such as the British Patent Agent of the Foreign or Colonial Patentee) (with or without associate patentees) can patent an invention.

Two or more inventors effecting the same result, but by different means, can each obtain a valid patent for his mode of procedure, provided said modes are

substantially different, or can join in one application for the two kindred inventions.

When an invention is the joint production of two minds, it must be patented in their joint names; for should it be proved that the patentee obtained a material part of the invention claimed from another individual resident in the British Isles the patent will be invalid.

Should, however, an inventor employ another individual to perform certain experiments, with a view to making a specific discovery, the discovery so made is, in the eye of the law, made by the employer, and can be patented by him without using the name of the aforesaid employé, the latter being looked upon merely as an instrument employed by the inventor.

An employer has no right or title to the inventions of his employés, except such as those mentioned in the previous paragraph, where the employé has been employed purposely to work out the details of a general idea unfolded to him by his employer. Even should there be a special agreement between master and servant, that all inventions of the latter made during the period of service shall become the property of the former, the patents securing such inventions must be applied for in the name of the employé, or in their joint names.

PROCEDURE IN OBTAINING PATENTS.

An inventor who has made what appears to be a new and useful invention, and likely to prove remu-

nerative, should make application for a patent as early as possible.

Over 25,000 applications for patents are now made yearly, and it frequently happens that two minds are engaged in working out the same idea at the same time. The first applicant for the patent is held to be the rightful patentee, without overwhelming proof that his claim is false, and numerous instances could be given where two applications for a patent for practically identical inventions have been made within a few days, or even hours, of each other, and in which the first inventor has lost precedence through being dilatory in placing the matter in the hands of his patent agent.

The application may be either "provisional" or "complete." In either case the patent, when issued, will bear the date of application.

PROVISIONAL APPLICATION.

A Provisional Application secures protection for nine months, during which time the inventor can perfect his invention before incurring the whole expense of the patent, and can publicly test it without fear of losing protection or of being forestalled by anyone else possessed of a similar invention.

During the continuance of the provisional protection the invention is kept secret by the Government.

The cost of a Provisional Application is usually from £3 3s. od. to (in complicated cases) £5 5s. od.

COMPLETE APPLICATION.

A Complete Application must be accompanied with specification and drawings similar to that referred to under the heading "Completing the Patent," (page 10), and secures to the inventor all the rights of a patentee at an earlier date than a provisional application. There is, however, as a rule, no real advantage in applying in this form, and there are many serious disadvantages accruing thereby, such as that by this means the specification and drawings are laid open to public inspection as soon as accepted, and anyone who may have previously obtained Provisional Protection for a similar invention can procure copies, and take advantage of the knowledge thus gained to cover it in his complete specification and claims subsequently drawn up. The cost of a complete application, exclusive of drawings, averages about £10 10s.

PROTECTION ABROAD.

Under the terms of the International Convention, or by the laws of the respective States, the inventor is by his English application provisionally protected for six months in Belgium, France, Denmark, Italy, Portugal, and Spain; for seven months in Brazil, Norway, Sweden, Switzerland, the United States of America, New Zealand, Queensland, and West Australia, and some other countries constituting with these and Great Britain "The Industrial Union," and

for twelve months in India, Canada, Victoria, and some other British Colonies.

EXAMINATION.

After the application is made it is in due course referred to an examiner. Should the examiner not be satisfied that the documents fulfil certain rules, he so reports to the Comptroller, and the application has to be amended before it can be proceeded with. An appeal is permitted from the decision of the Comptroller to the Law Officer, who decides finally whether, and subject to what conditions, the application shall be accepted. The examiner is not required to consider whether the invention be new or the specification validly drawn, and the acceptance of the specification is no guarantee whatever on either of these points.

COMPLETING THE PATENT.

The applicant can at any time within nine months from the date of provisional application proceed with such application by filing a "complete" or final specification (and drawings when necessary). The cost of preparing which, with stamps, &c., is usually from £8 to £10, exclusive of the drawings; or total cost, including the Provisional Protection, from £11 upwards; or, when a complete specification is filed without first procuring Provisional Protection, the cost, without drawings, is from £10 10s. upwards.

The cost of drawings is altogether dependent upon the nature and intricacy of the invention and the time necessary to prepare them in duplicate.

In the drawing up of a complete specification, great care must be exercised that it fulfils all the requirements of the law as construed by the almost innumerable decisions of the judges during the past 200 years. It is a mistake to suppose that the patent law as it now stands was enacted in 1883. The law of 1883 was merely an Act to regulate the procedure in the granting of patents; the real patent law dates from the time of James the First. A specification, too, admirable for either the United Kingdom, United States, Belgium, or Germany, would, in most instances, be very bad for each of the other three—and would, in many cases, be refused—the law and practice being very different in each country. Hence, unless the patent agent be well informed on the respective laws, he is almost certain to go wrong.

On the acceptance of the complete specification—usually from four to six weeks after it is filed—the Comptroller will advertise the same.

OPPOSITION.

Within two months from the date of the advertisement of the acceptance of the complete specification, Notice of Opposition to the grant of the patent may be entered by any interested party or parties, on the ground that the invention has been obtained from him or them, or includes the whole or part of the subject

matter of a prior application or patent, or that the complete specification includes an invention not set forth in the provisional specification, and for which the opponent has in the meantime applied for a patent.

If an opposition be entered, the case comes on for hearing before the Comptroller, both parties being represented. From the decision of the Comptroller appeal is allowed to the Law Officers.

SEALING.

When the complete specification has been accepted, and the opposition stage has passed, the patent is forthwith sealed and issued, and is then complete for fourteen years from the date of application, subject to the following taxes or the forfeiture of the patent:—

ANNUAL TAXES.

	£	s.	d.
Before the expiration of the fourth year from date of patent	5	0	0
„ „ fifth „ „	6	0	0
„ „ sixth „ „	7	0	0
„ „ seventh „ „	8	0	0
„ „ eighth „ „	9	0	0
„ „ ninth „ „	10	0	0
„ „ tenth „ „	11	0	0
„ „ eleventh „ „	12	0	0
„ „ twelfth „ „	13	0	0
„ „ thirteenth „ „	14	0	0
Agency fees on each of these	0	10	6

EXTENSION OF TIME FOR PAYMENT OF FEES.

If through accident, mistake, or inadvertence, the taxes be not paid within the specified time, the term can be extended on petition for not more than three months, on payment of additional fees.

PROLONGATION OF TERM OF PATENT.

By special order of the Judicial Committee of the Privy Council, the term of fourteen years can on petition be extended for a further term of seven years, or, in exceptional cases, of fourteen years. An extension is only granted in the case of meritorious inventions, from which the inventors have failed to get a reasonable remuneration, and in the working of which due diligence has been used.

AMENDMENT OF SPECIFICATION.

Should an applicant or patentee find that his patent is invalid through the specification embracing what is old, or being ambiguous or incorrectly drawn, he may, from time to time, apply for leave to amend his specification by disclaimer, correction, or explanation. Such application is duly advertised, and within one month of the date of such advertisement any person is at liberty to enter an opposition to the proposed amendment.

The Comptroller hears both parties, and decides whether the amendment shall be allowed, and if so,

on what terms; his decision being, however, subject to appeal to the Law Officers. An amendment, if it do not cause the patent to claim anything unclaimed before, is nearly always allowed, otherwise it is refused. The costs are usually £15 when unopposed; but, in opposed cases, may considerably exceed that amount.

COMPULSORY LICENSES.

If, on the petition of any person interested, it is proved to the Board of Trade, that by reason of the default of the patentee to grant licenses on reasonable terms:—

"(*a*) The patent is not being worked in the United Kingdom; or

"(*b*) The reasonable requirements of the public with respect to the invention cannot be supplied; or

"(*c*) Any person is prevented from working or using to the best advantage an invention of which he is possessed,"

The Board may order the patentee to grant licenses on such terms as it may deem just.

A petition of this nature is very rare, and the cost varies, according to the nature of the opposition, from £10 to £200.

MISCELLANEOUS POINTS IN BRITISH PATENT LAW.

Two substantially distinct inventions cannot legally

be combined in one patent, but the patent, once granted, cannot afterwards be questioned on the ground of its covering more than one invention.

This rule is very liberally interpreted, two inventions to accomplish the same object, or a new idea applied to two very different objects, being generally allowed on one application.

A patent gives to its owner the sole right (subject to the compulsory license clause) of making, using, and selling the article or process patented, in Great Britain and Ireland and the Isle of Man, and on the adjacent seas, but not on Foreign or Colonial ships.

It is an infringement of the patentee's rights to manufacture for one's private household use.

A patent may be obtained for an improvement on the subject matter of another unexpired patent; but the inventor cannot, of course, work the previous patent without a license from the owner thereof. This he can usually obtain at a reasonable rate, if not by private treaty, then by the operation of the compulsory license clause. (See page 14.)

A person possessing an invention which he has sold or used publicly, or exposed for sale, cannot validly patent it; nor can anyone obtain a sound patent for a process which he has already used secretly for a period of years, and has sold the products thereof.

The mere experimenting on the invention before protecting, if every reasonable precaution has been taken to keep it secret, and the working has not been

for profit, does not invalidate the patent afterwards obtained.

The prior existence of an invention, which, if it had been made subsequently to the date of the patent, would be considered only a clumsy, colourable imitation for the purpose of effecting the same result, does not invalidate the patent by anticipation.

Similarly, a prior unsuccessful and abandoned experiment by another party, even though it embraces all the principles of the invention, is not sufficient to invalidate a patent afterwards obtained.

A patent granted to the true and first inventor is not invalidated by a prior application made in fraud of him, nor by any sale, publication, or working of the invention made subsequent to the fraudulent application, and during the period of provisional protection. Where a patent has been revoked or cancelled by order of the Court on the ground of fraud, the Comptroller of Patents may, on the application of the true inventor made in due form, grant him a patent in lieu of and bearing the date of the revocation of the fraudulent patent; but the new patent will be only issued for the remainder of the term for which the revoked patent was granted, and it is somewhat doubtful whether such patent will be valid, as the invention will have been published before its date. We think, however, the courts will hold that the new patent will hold good against any publication which has taken place subsequent to the date of the revoked patent.

The Department of Science and Art may at any time require a patentee to furnish a model of his invention, on payment to the patentee of the cost of the manufacture of the model; the amount to be settled, in case of dispute, by the Board of Trade. These models are very rarely required.

The Government does not guarantee anything in the patent, but simply gives the patentee a right to the exclusive use of his invention so long as nothing against the validity of his patent shall be proved. It is a common mistake to suppose that "a Patent is a Patent," and that so long as an inventor has his Letters Patent, he has a good and sufficient title-deed. It is, indeed, an undoubted fact that the majority of patents as at present existing will not "hold water" through defective drawing up. This is owing, in great part, to the employment of "cheap agents" and other untrained persons, who, perhaps, merely dabble in Patent Agency as an addition to some other business; and it is notorious in the profession that certain individuals, both at home and abroad, who send round circulars to all applicants for patents, offering to complete their application or secure foreign patents at prices that cannot pay for good work, generally draw up their specifications in a manner that will nullify the patent rights. For a man to be a good patent agent he must be specially trained to and adapted for the work, and must give his entire time to the profession, to keep pace with the continued march of improvement. So important do we consider this,

that whenever a partner or manager has entered our firm, we have made it a stipulation that he shall be connected with no other business or profession whatever.

Anyone not having a patent existing or extinct for the article in question, marking anything with the words "Patent," "Patented," "Registered," or other words of like import, or with the trade mark of any patentee, with intent to deceive or lead others to believe that it is a patented article, is liable to a fine of £5 on summary conviction.

No one may set up as a Patent Agent who is not duly licensed to do so, and registered.

Where any person claiming to be the patentee of an invention, by circulars, advertisements, or otherwise, threatens another person with legal proceedings in respect of any alleged infringement of the patent, any person or persons aggrieved thereby may bring an action against him, and may obtain an injunction against the continuance of such threats, and may recover such damage (if any) as may have been sustained thereby, if the alleged infringement to which the threats related was not in fact an infringement of any legal rights of the person making such threats. This section does not apply if the person making such threats commences and prosecutes, with due diligence, an action for infringement of his patent.

LICENSES AND ASSIGNMENTS.

A patentee can assign his patent in whole or in

part, not only as regards its duration, but also its subject-matter and its territorial limits. He can grant licenses to use it on royalty, either exclusive or concurrent, and over the whole or only some part of the United Kingdom.

All licenses and assignments must be stamped, and must be registered in the Register of Patents in London; and copies of entries in this register, duly certified by the officials, are *primâ-facie* evidence in court of the facts therein set forth, only controvertible by direct proof of their incorrectness.

Copies of this register are open to the public in London, Edinburgh, and Dublin, on payment of a small fee, but the want of an index to the Dublin copy renders it of little use. Copies of any particular entry can also always be obtained from the department at the cost of making them.

In licensing an invention to a manufacturer, the patentee should take care to guard himself on the following points:—1st. He should have quarterly statements of the number or quantity of the patented article manufactured, and of their destinations. 2nd. A right of inspection of the books and works of the licensee. 3rd. All machines manufactured under the patent should be numbered with consecutive numbers, and be stamped with the inventor's name or trade mark, and the word "Patent." (To unlawfully affix these subjects the offender to a fine of £5 for each offence.) 4th. The patentee should either have a part of the royalties in advance, or a guarantee of a certain

minimum royalty each quarter, so as to make it to the interest of the licensee not to let the patent lie idle.

On the other hand, the licensee should have the following protective covenants in his license:—1st. That all further improvements in the said invention made by the patentee, or his other licensees, shall be as free to him as to the original inventor (he also should agree to reciprocate in this matter). 2nd. That all disputes on the meaning or intention of the license hereafter, shall be put to arbitration in the usual way, and the award of such arbitrators be made a rule of court by either party. 3rd. That the licensee shall be allowed to sue in the name of the patentee in cases of infringement (this is not so important since the present Judicature Act came into force). 4th. That the patentee shall maintain the patent by paying the stamp duties as they become due.

A licensee cannot successfully plead the invalidity of a patent as a ground for refusing to pay royalty, except in the case of an action for revocation.

If in a license it be stated that, unless a certain minimum royalty be paid yearly, the license can be cancelled by the patentee, and if for one or more years the patentee accepts a less royalty, he cannot afterwards cancel the license on the ground that the minimum royalty stipulated has not been paid, his having accepted the smaller royalty being held to be equivalent to cancelling this particular clause in the license.

HOW TO SAFELY INVEST IN PATENTS.

Probably far more money is made by non-inventors investing in patents than by patentees The author has known many instances of men without any inventive faculty making fortunes in a very few years by investing in patents. This is not so often done by paying largely for a single promising patent and then working it, as by spreading their investments over several ventures—finding capital and business talent for clever but needy, or unbusiness-like, inventors, demonstrating the success of the inventions, and then negotiating their sale, receiving from the patentee, as a recompense, a share of the net returns, varying from 25 to 75 per cent. One very successful plan is to find a patentee with a very valuable invention, whose entire resources are utilized in working the patent in the country of its birth. The capitalist offers to patent it abroad and negotiate the sale, giving the inventor from 25 to 50 per cent. of the net returns. As a rule, he jumps at the offer.

We have very frequently known the foreign patents of inventions worth many thousands of pounds per annum in the country of their birth almost given away. It is this international patent dealing that is, as a rule, the most profitable; yet it is a field almost untilled. As the author's firm has, with possibly one exception, the largest American and foreign connection of any in this country, and has been very largely engaged for many years in obtaining British, Foreign

and Colonial patents for local Patent Agents throughout the world, he has had unbounded opportunities of seeing the great opening there is in this line. His firm receives from abroad to patent in this country and the continent several hundreds of valuable inventions per annum. In many of these cases the inventions can be obtained – some as soon as they are protected, others when the inventor gets tired of holding them—for a tithe of their value, their owners not having the leisure to work them themselves in other countries than their own. The same is the case with British inventions abroad.

Again, for every invention really valuable in the country of its birth that is patented abroad, twenty are taken out in one country only, and for this reason —the inventors know the difficulty of *their* selling their foreign patents and attending to their home ones at the same time. But if they could hear through their Patent Agents of individuals or *syndicates* willing and able to take up or dispose of patents in other countries, they would either patent abroad or sell their foreign rights at very reasonable rates, to the advan tageous development of trade all over the world.

Syndicates are mentioned above. For small capitalists, or men not having the leisure to work or negotiate the sale of patents, but with money to invest in them, the joining of a syndicate to engage in this traffic is frequently a very good thing. These syndicates, if properly managed, are very lucrative affairs.

It is a remarkable fact, too, that nearly all the great

industrial houses in this country, on the continent, and even in America, attribute their success to the taking up of some one or more patents; and probably not in one instance in three were any of the partners in the firm the original patentees, but were only the purchasers of the patents thus worked. They purchased or licensed them, often at a very small cost, from the original patentees.

We are always glad to assist investors in obtaining good patents, as by so doing we can benefit not merely the investor, but the client also who has employed us to secure the invention. In investing in a patent, however, great caution is requisite. First of all, the opinion of a competent Patent Agent should be obtained as to its validity; secondly, the patent records should be searched and full inquiry made, to ascertain whether the invention be really the best device for the purpose, and not covered by prior patents.

FOREIGN PATENTS.

As inventions valuable in this country are usually equally so in foreign states and colonies, we append the following list of the principal countries where patents are granted, and the average cost and duration of patents in each, and other important details. Where the letter "W" and a number follows the name, thus "W. 2," it means that the invention must be worked in such country within that number of years of date of patent on pain of forfeiture :—

Where the letter A and a price is inserted, it

means that for the price named improvements on or additions to a patented invention can be engrafted on the patent, and form part thereof at any time during the existence of the patent and to expire with it, but not subject to annual taxes.

AUSTRALIA.—See separate colonies.

AUSTRIA AND BOSNIA.—(W. 1.) 15 years, cost about £14 and taxes, £4 at end of first year, increasing each year.

BELGIUM.—20 years, £8 10*s*. To be worked within a year of working elsewhere. Annual taxes on original patent, end of first year £1 10*s*.; second year, £2; third year, £2 10*s*.; and so on, increasing 10*s*. each year. (A. £9.)

BRAZIL.—(W. 3.) 15 years, £36, and taxes. (A. £30.)

CANADA.—(W. 2) 18 years, £18, with taxes at end of sixth and twelfth years, £7 each. *In addition to this charge a model of special dimensions is frequently required.*

CAPE OF GOOD HOPE.—14 years, £30, and taxes third and seventh years.

DENMARK.—(W. 3.) 15 years, taxes increasing irregularly, from £2 12s. first year to £19 12s. last year. (A. £8.)

FRANCE.—(W. 2.) 15 years, £12 to £14, and taxes £5 per annum. (A. £10.)

GERMANY.—(W. 3.) 15 years, £15 to £20 and taxes, £3 10*s*. the first year, £6 the second year, and so on, increasing £2 10*s*. each year. (A. £12.)

HUNGARY.—(W. 1) 15 years, cost about £14 and taxes, £4 at end of first, second, third, and fourth years, annual taxes increasing about £1 each year afterwards. These taxes are likely to be altered soon.

INDIA.—14 years, £23; taxes annually from the fourth year.

ITALY.—1 year (W. 1), renewable, £15; or, 6 years (W. 2), renewable, £18; or, 15 years (W. 2), £24; proportionate cost for intermediate terms. Cost of renewals, difference in cost of the two terms, plus £6, subject also to annual taxes increasing from £2 10*s*. the first year to £7 10*s*. the last year. (A. £11.)

NATAL.—£26, and third and seventh years' taxes.

NEW SOUTH WALES.—14 years, £18; no taxes.

NEW ZEALAND.—14 years, £18; and fourth and seventh years' taxes.

NORWAY.—(W. 3.) 15 years, £13, and tax £1 10*s*. for first year, increasing 6*s*. each year. (A. £12.)

PORTUGAL.—(W. 2.) 1 year, renewable to 15, £20.

QUEENSLAND.—Provisional Protection nine months, £6; completing same, £14; or complete at start for 14 years, £19, subject to taxes of £7, at the end of fourth year; £12, at the end of eighth year; or annual taxes after the third year of £3, £3, £3, £3, £3 10*s*., £3 10*s*., £4, £4, £4, and £4 respectively.

RUSSIA.—3 years (W. 9 months), £25; or 5 years (W. 15 months), £35; or 10 years (W. 30 months), £75; no tax and no renewals, but while an application is pending it may be extended to either of the longer periods. A new law is in prospect.

SOUTH AUSTRALIA.—14 years, £18, and third and seventh years' taxes.

SPAIN.—(W. 2.) 20 years, £18, and annual taxes; £3, first year; £3 12*s.* second year; and so on, increasing 12*s.* each year. (A. £13.)

SWEDEN.—(W. 2.) 15 years, £15, and annual tax; £2 12*s.* each of first four years, £4 each of next five, £5 8*s.* each of last five. (A. £12.)

SWITZERLAND.—(W. 2) £10, and annual taxes. In addition to this charge a model is required. (A. £9.)

UNITED STATES.—17 years, £20 to £30; no tax.

VICTORIA.—14 years, £16, third and seventh years' taxes £4 each.

WEST AUSTRALIA.—14 years, £16; fourth and seventh years' taxes, £6 each.

The taxes on all these countries are optional, the patent going void if they be not paid. "Working," in nearly all cases, is a very simple, formal matter, costing on the average from £5 to £20.

There are about sixty-four countries and colonies granting patents, full particulars of the law of which, with costs, &c., will be found in Thompson's Handbook of Patent Law of all Countries, published by Stevens & Sons, Limited. Price, 2*s.* 6*d.*

HINTS IN OBTAINING FOREIGN PATENTS.

Don't be in too great a hurry.

In many countries the British application gives protection for from six months to a year or more.

The best plan is to apply for the United States patent as early as possible, but delay the others till the report of the U.S. examiner comes in.

Don't publish the invention till the foreign patents are applied for.

There are a great number of pitfalls into which an unwary inventor would stumble, and that many ordinary local patent agents throughout the world are ignorant of; and it would in all cases be time and money well spent to get and read the Handbook of Patent Law mentioned on last page before going deep into foreign patents.

Don't expect to or try to sell the foreign patents till the home patent is a proved success—after that it will be an easy matter to effect the sale very profitably in the principal countries. Except in very rare cases it never pays to take out patents in above fifteen or twenty countries, though company promoters and even Patent Agents sometimes advise the *entire set*; this is always bad advice, and the investor is far more likely in taking out ten or twelve foreign patents to wish he had only taken out five, than that he had not secured more.

TRADE MARKS.

It is often of very great moment to secure a good valid trade mark, or trade name—as while a patent runs out, a trade name can be retained for ever.

Thus, Messrs. Lever Brothers, Limited, who in a very few years, from small beginnings, became and remain the largest soap manufacturers in the world, publicly attributed a large amount of their success to their having adopted a suggestion of the author and christened their soap "Sunlight," which name they have registered throughout the world. The name would, however, have been worthless without the good article and splendid business ability displayed in pushing it.

A trade mark to be registrable must not be descriptive of the quality or character of the goods, nor the name of any place, nor a surname, nor an emblem of royalty.

The cost of registering an ordinary trade mark for one class averages from £3 3*s.* to £5 5*s.* Full particulars of the 50 classes into which all merchandise is divided, the law of trade marks and the costs of registration in the various countries, will be found in a pamphlet, "All About Patents," supplied, on application, by the author's firm, an advertisement of which appears on the last page.

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copies of the work, are required. Protection lasts for 42 years or till 7 years after the author's death, whichever is the latest date. Cost, £1 1*s.* 0*d.*